

IN RE: PETITION FOR ZONING VARIANCE
NES Cowl Court, 218' SE c/1
Compass Road
(16 Cowl Court)
15th Election District
5th Councilmanic District
John H. Cash, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-363 A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein requests a variance from Section 211.3 to allow a side yard setback of 4' 2" and a sum of 16' 2" in lieu of the required 8' and 20' respectively, as more particularly described on Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants. Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R. and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore

County this 32 day of March, 1989 that the Petition for Zoning Variance from Section 211.3, to allow a side yard setback of 4' 2" and a sum of 16' 2" in lieu of the required 8' and 20' respectively, as more particularly described on Petitioner's Exhibit 1 be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow or cause the addition or structure to be converted to a second dwelling unit and/or apartment. The porch shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
ZONING COMMISSIONER FOR
BALTIMORE COUNTY

JRH/mm
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Town, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

March 20, 1989



Mr. John H. Cash, Jr.
2 Radial Court
Baltimore, Maryland 21220

RE: Petition for Zoning Variance
Case No. 89-363 A

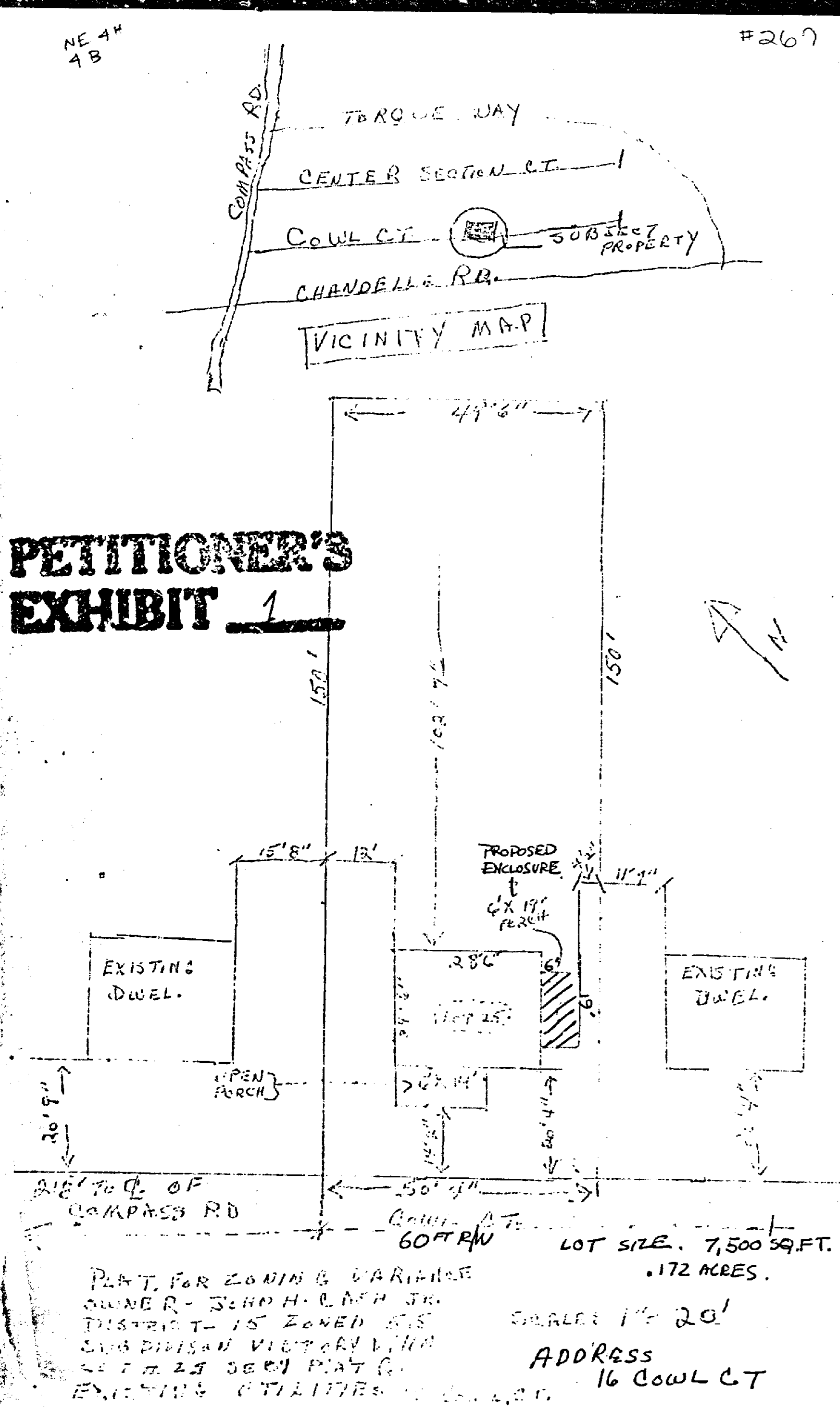
Dear Mr. Cash:

Enclosed please find the decision rendered in the above captioned case, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmm
att.
cc: Peoples Counsel



Zoning Description
BEGINNING ON THE N/E SIDE OF COWL COURT 60' 7/8" W
218 FT. S/E OF THE CENTER LINE OF COMPASS RD.
BEING LOT #25 OF THE SUBDIVISION KNOWN AS
VICTORY VILLA PLAT 5. ALSO KNOWN AS 16
COWL COURT.

I TAKE FULL RESPONSIBILITY FOR THE ABOVE DESCRIPTION
John H. Cash Jr. 12/27/88

CERTIFICATE OF PUBLICATION

TOWSON, MD. Feb 23, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Feb 23, 1989.

THE JEFFERSONIAN,

S. Zebe Olson
Publisher

PO 09803
reg M25271
price \$39.40

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, on the following date and time:
Date: March 10, 1989 at 2:00 p.m.
Time: 2:00 p.m.
Petitioner: John H. Cash, Jr., et ux
Case Number: 89-363-A
Case Name: NES Cowl Court, 218' SE c/1 Compass Road
16 Cowl Court
15th Election District
5th Councilmanic District
Petitioners: John H. Cash, Jr., et ux
Variance: To allow a side yard setback of 4' 2" and a sum of 16' 2" in lieu of the required 8' and 20' ft., respectively.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner
Baltimore County
2355 Feb. 23.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th
Post for: Variance
Stationer: John H. Cash, Jr., et ux
Location of property: 16 Cowl Ct.
Location of signs: Facing Cowl Ct., across 15' from road lower on property of J. Robert Haines
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1
Date of Posting: 2/11/89
Date of return: 2/14/89

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Town, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Notice of Hearing
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Case Number: 89-363-A
Case Name: NES Cowl Court, 218' SE c/1 Compass Road
16 Cowl Court
15th Election District - 5th Councilmanic
Petitioner: John H. Cash, Jr., et ux
HEARING SCHEDULED: FRIDAY, MARCH 10, 1989 AT 2:00 P.M.
Variance: To allow a side yard setback of 4' 2" and a sum of 16' 2" in lieu of the required 8' and 20' ft., respectively.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner
Baltimore County

The Times
Middle River, Md. Feb 23, 1989

This is to Certify, That the annexed [Signature] Case - Reg M25271 was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 23rd day of Feb, 1989.

Joe B. [Signature] Publisher.

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-363-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 211.3, 1955 Regulations, to allow a side yard setback of 4 ft., 2 inches and a sum of 16 ft., 2 inches in lieu of the required 8 ft., and 20 ft., respectively.

House is very small, and not having this porch closed in for storage and use as a summer porch would present a difficulty for use of this property.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further, to be bound by the zoning regulations and restrictions of a Zoning Law For Baltimore County.

Legal Owner(s): John H. Cash, Jr. et ux
Signature: [Signature]
(Type or Print Name)
Address: 2 Radial Ct. 3910572
City and State: BALTO MD. 21220
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Name: [Signature]
Address: [Signature]
Phone No. [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of January, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of March, 1989, at 2 o'clock P.M.
J. Robert Haines
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING: 1/2HR.
AVAILABLE FOR HEARING: MON./TUES./WED. - NEXT TWO WEEKS
REVIEWED BY: [Signature] DATE: 2/2/89

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Town, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

Mr. John H. Cash, Jr.
2 Radial Court
Baltimore, Maryland 21220

Re: Petition for Zoning Variance
CASE NUMBER: 89-363-A
NES Cowl Court, 218' SE c/1 Compass Road
16 Cowl Court
Petitioners(s): John H. Cash, Jr., et ux
HEARING SCHEDULED: FRIDAY, MARCH 10, 1989 at 2:00 p.m.

Dear Mr. Cash:

Please be advised that \$80.65 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office at 111 W. Chesapeake Avenue, Towson, Maryland 21204, (15) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 05762
DATE: 3/10/89 ACCOUNT: R-01-615-000
AMOUNT: \$ 80.65
RECEIVED: John H. Cash, Jr. inc
FOR: PIA 3/10/89 Leasing 89-213-A net of

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

February 8, 1989

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-363-A

NE Cowl Court, 218' SE c/1 Compass Road
16 Cowl Court
15th Election District - 5th Councilmanic

Petitioner(s): John H. Cash, Jr., et ux
HEARING SCHEDULED: FRIDAY, MARCH 10, 1989 at 2:00 p.m.

Variance to allow a side yard setback of 4 ft., 2 inches and a sum of 16 ft., 2 inches in lieu of the required 8 ft., and 20 ft., respectively.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: John H. Cash, Jr.
File

89-363-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
11th day of January, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: John H. Cash, Jr.
Petitioner's Attorney

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 27, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

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MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Mr. John H. Cash, Jr.
2 Radial Court
Baltimore, MD 21220

RE: Item No. 267, Case No. 89-363-A
Petitioner: John H. Cash, Jr.
Petition for Zoning Variance

Dear Mr. Cash:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION: JULIE WIMARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3334

January 17, 1989



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 266, 267, 268, 269, 270, and 271.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSP/lw

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

January 12, 1989

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: John H. Cash, Jr.

Location: NE side Cowl Ct., 218' SE c/1 Compass Road

Item No.: 267

Zoning Agenda: Meeting of 1/10/89

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*
Planning Group
Special Inspection Division

NOTED &
APPROVED:

John F. O'Neill
Fire Prevention Bureau

/j1

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 24, 1989

FROM: Robert W. Bowling, P.E.

RE: Meeting of January 10, 1989

The Developers Engineering Division has reviewed the zoning items for the subject meeting. We have no comments for Items 266, 267, 268, 269, 270, and 271.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Encls.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO: Zoning Commissioner

Date: March 7, 1989

Pat Keller, Deputy Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition Nos. 89-308-SPH (Jefferson); 89-318-A (Podles); 89-350-A (Khouzami); 89-354-A (Smith); 89-359-A (Heutner); 89-363-A (Cash); 89-364-A (Kaplan); 89-368-A (Appel); 89-369-A (Mathall); 89-375-A (Vinson); 89-376-A (Gambrell); 89-378-A (Lis); 89-379-A (Freundlich); 89-387-A (Babikow) and 89-393-A (Lubman)

The Office of Planning and Zoning has no comment on the above listed petitions.

PK/sf

RECEIVED
MAY 10 1989

ZONING OFFICE

CPS-008